

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UMG RECORDINGS INC., et al.,

Plaintiffs,

v.

RCN TELECOM SERVICES, LLC, et al.,

Defendants.

Civil Action No. 19-17272 (MAS) (TJB)


ORDER

This matter comes before the Court upon two Motions to Dismiss Counterclaims. The first motion is Plaintiffs UMG Recordings, Inc., Capitol Records, LLC, Sony Music Entertainment, Arista Records LLC, Arista Music, LaFace Records LLC, Sony Music Entertainment US Latin LLC, Volcano Entertainment III, LLC, Zomba Recording LLC, Atlantic Recording Corporation, Bad Boy Records LLC, Elektra Entertainment Group Inc., Fueled By Ramen LLC, Maverick Recording Company, The All Blacks U.S.A., Inc., Warner Music Nashville LLC, Warner Records Inc., Warner Records/Sire Ventures LLC, WEA International Inc., and Recording Industry of America's ("RIAA") (collectively "Plaintiffs" or "UMG") Motion to Dismiss Counterclaims. (ECF No. 122.) Defendants RCN Telecom Services, LLC, RCN Telecom Services of New York, L.P., RCN Capital Corp., RCN Telecom Services of Philadelphia, LLC, RCN Telecom Services of Massachusetts, LLC, Starpower Communications, LLC, RCN Management Corporation, RCN ISP, LLC, RCN Digital Services, LLC, RCN NY LLC I, RCN Telecom Services (Lehigh), LLC, RCN Telecom Services of Illinois, LLC, 21st Century Telecom Services, Inc., and RCN Cable TV of Chicago, Inc. (collectively "Defendants" or "RCN") opposed (ECF No. 135), and Plaintiffs replied (ECF No. 139). The second motion is Counterclaim Defendant Rightscorp's Motion to

Dismiss Counterclaims. (ECF No. 136.) RCN opposed (ECF No. 143) and Rightscorp replied (ECF No. 144). The Court has carefully considered the parties' submissions and decides the matter without oral argument pursuant to Local Civil Rule 78.1. For the reasons set forth in the accompanying Memorandum Opinion, and for good cause shown,

IT IS on this 29th day of June 2021 **ORDERED** that:

1. Plaintiffs' Motion to Dismiss (ECF No. 122) is **GRANTED**
2. Rightscorp's Motion to Dismiss (ECF No. 136) is **GRANTED**
3. RCN may file an Amended Answer and Countercomplaint by 7/20/21.



MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE